

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

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|-------------------------------------|---|------------------------|
| In re: |) | Chapter 11 |
| |) | |
| Blackjewel, L.L.C., <i>et al.</i> , |) | Case No. 19-bk-30289 |
| |) | |
| Debtors. ¹ |) | (Jointly Administered) |

**MOTION OF DEBTORS FOR ENTRY OF AN ORDER RESCHEDULING MATTERS
TO BE HEARD ON AUGUST 3, 2019, TO MONDAY, AUGUST 5, 2019**

Blackjewel, L.L.C., and its affiliated debtors and debtors-in-possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases, hereby move this Court for entry of an order, substantially in the form attached hereto as **Exhibit A**, to reschedule the Sale Hearing² and those other matters presently scheduled to be heard by the Court on Saturday, August 3, 2019, at 12:30 p.m. prevailing Eastern Time to Monday, August 5, 2019, at 10:00 a.m. prevailing Eastern Time. In support of this motion, the Debtors respectfully state as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider this motion pursuant to 28 U.S.C. §§ 157 and 1334.
2. This is a core proceeding under 28 U.S.C. § 157(b), and the Debtors consent to entry of a final order by the Court in connection with this motion to the extent it is later determined

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Blackjewel, L.L.C. (0823); Blackjewel Holdings L.L.C. (4745); Revelation Energy Holdings, LLC (8795); Revelation Management Corporation (8908); Revelation Energy, LLC (4605); Dominion Coal Corporation (2957); Harold Keene Coal Co. LLC (6749); Vansant Coal Corporation (2785); Lone Mountain Processing, LLC (0457); Powell Mountain Energy, LLC (1024); and Cumberland River Coal LLC (2213). The headquarters for each of the Debtors is located at 1051 Main Street, Milton, West Virginia 25541-1215.

² Capitalized terms used herein but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion or Bidding Procedures Order (each as defined below), as applicable.

that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

3. Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The statutory bases for the relief requested herein is section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”) and Rule 5071-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Southern District of West Virginia (the “Local Rules”).

BACKGROUND

5. On July 1, 2019 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief with the Court under chapter 11 of the Bankruptcy Code. The Debtors are continuing to operate and maintain their business as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

6. As of the date hereof, no party has requested the appointment of a trustee or an examiner in these chapter 11 cases. On July 3, 2019, the Office of the United States Trustee for Region 4, the District of West Virginia (the “U.S. Trustee”), appointed an official committee of unsecured creditors [Docket No. 46] (the “Creditors’ Committee”).

7. A description of the Debtors’ business and the reasons for filing these chapter 11 cases is set forth in the *Declaration of Jeff A. Hoops, Sr. in Support of Chapter 11 Filings and First-Day Motions* (the “First Day Declaration”) [Doc. No. 14].³

8. On July 25, 2019, the Debtors filed the *Motion of Debtors for Entry of: (I) An Order (A) Approving Bidding Procedures, (B) Scheduling an Auction, Sale Hearing and Other Dates and Deadlines, (C) Approving Contura Energy, Inc. as a Stalking Horse Purchaser, (D) Approving the*

³ Mr. Hoops resigned his positions as an officer and director of each of the Debtors on July 3, 2019 and is no longer involved in the management of the Debtors or their businesses.

Assumption and Assignment of Contracts and Leases and Related Cure Procedures, (E) Approving the Purchase Deposit, (F) Authorizing Termination of the 401(K) Plan and (G) Granting Related Relief, and (II) An Order Approving the Sale of the Purchased Assets Free and Clear of Liens, Claims and Encumbrances [Docket No. 312] (the “Motion”).

9. On July 26, 2019, the Court entered an order approving the Motion [Docket No. 356] (the “Bidding Procedures Order”). Later that same day, the Court filed notices scheduling the Sale Hearing and other pleadings initially scheduled for July 31, 2019, to August 3, 2019 [Docket Nos. 351, 354]. On July 30, 2019, the Court included the remaining matters scheduled for July 31, 2019, to be heard on August 3, 2019 [Docket No. 396].

10. In consultation with the Stalking Horse Purchaser, the Debtors have decided in their business judgment, and subject to the approval of the Court, to modify the Bidding Procedures in two limited ways: (a) to reschedule the August 3, 2019, Sale Hearing to August 5, 2019, at 10:00 a.m. prevailing Eastern Time and (b) to move the Closing Date to be no later than August 7, 2019 (rather than August 5, 2019). Except for these two changes, the Bidding Procedures Order and the Bidding Procedures will remain unchanged.

RELIEF REQUESTED

11. By this motion, the Debtors respectfully request entry of an order, substantially in the form attached hereto as **Exhibit A**, (a) rescheduling (i) the Sale Hearing and (ii) all other matters presently scheduled for August 3, 2019, at 12:30 p.m. to Monday, August 5, 2019, at 10:00 a.m. prevailing Eastern Time, and (b) changing the Closing Date to be no later than August 7, 2019.

NOTICE

12. The Debtors, with the assistance of their proposed claims and noticing agent, will provide notice of this motion by email and/or first class mail to: (i) the Office of the United States

Trustee for the Southern District of West Virginia; (ii) the Debtors' prepetition secured lenders; (iii) the creditors appearing on the Debtors' consolidated list of top 30 unsecured creditors; (iv) the Office of the United States Attorney for the District of West Virginia; (v) the Internal Revenue Service; (vi) any local, state, or federal agencies that regulate the Debtors' businesses, (vii) counsel to Riverstone Credit Partners – Direct, L.P., Bailey & Glasser LLP, (viii) counsel to United Bank, Inc., Steptoe & Johnson PLLC, (ix) counsel to Highbridge Capital Management, LLC and Whitebox Advisors LLC, Paul, Weiss, Rifkind, Wharton & Garrison LLP; (x) proposed counsel to The Official Committee of Unsecured Creditors, Whiteford Taylor & Preston, LLP; and (xi) all parties requesting notices pursuant to Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

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WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and any such other and further relief as the Court deems just and proper.

DATED: July 30, 2019

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– and –

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